

EXHIBIT A

COPY

SUM-100

**SUMMONS
(CITACION JUDICIAL) BY FAX**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

IQ DATA INTERNATIONAL, INC.

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

LEONDR A FUJIWARA

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

FILED

JUN - 5 2015

STEPHEN H. NASH CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

By _____ Deputy Clerk

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de extensión de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos eventuales por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desear el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Superior Court of Contra Costa
725 Court Street
Martinez CA 94553

CASE NUMBER:
(Número del Caso):

115 - 01727

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Todd M. Friedman, 324 S. Beverly Dr., #725, Beverly Hills, CA 90212, 877-206-4741

DATE:
(Fecha)

JUN - 5 2015

Clerk, by
(Secretario)J. Hogan, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

- under: ☐ CCF 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):

4. ☐ by personal delivery on (date):

COPY

Todd M. Friedman (216752)
Suren N. Weerasuriya (278521)
Adrian R. Bacon (280332)
Law Offices of Todd M. Friedman, P.C.
324 S. Beverly Dr. #725
Beverly Hills, CA 90212
Phone: 877-206-4741
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Attorneys for Plaintiff

FILED
JUN -5 2015

STEPHEN H. NASH, CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

By J. HOGAN, Deputy Clerk

IMMONS ISSUED

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF CONTRA COSTA
LIMITED JURISDICTION

PER LOCAL RULE 5 THIS
CASE IS ASSIGNED TO
DEPT. 11

Case No. L15 - 01727
(Amount not to exceed \$10,000)

LEONDRA FUJIWARA,
Plaintiff,
vs.
IQ DATA INTERNATIONAL, INC.,
Defendant.

1. Violation of Rosenthal Fair Debt
Collection Practices Act
2. Violation of Fair Debt Collection
Practices Act
3. Violation of Telephone Consumer
Protection Act

BY FAX

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Rosenthal Fair Debt Collection Practices Act, Cal Civ Code §1788, *et seq.* (hereinafter "RFDCPA") and the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (hereinafter "FDCPA"), both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices. Ancillary to the claims above, Plaintiff further alleges claims

1 for Defendant's violations of the Telephone Consumer Protection Act, 47 U.S.C. §227, *et seq.*
2 (hereinafter "TCPA").

3 II. PARTIES

4
5 2. Plaintiff, LEONDRA FUJIWARA ("Plaintiff"), is a natural person residing in
6 Contra Costa County in the state of California, and is a "consumer" as defined by the FDCPA,
7 15 U.S.C. §1692a(3) and is a "debtor" as defined by Cal Civ Code §1788.2(h).

8 3. At all relevant times herein, Defendant, IQ DATA INTERNATIONAL, INC.
9 ("Defendant") was a company engaged, by use of the mails and telephone, in the business of
10 collecting a debt from Plaintiff which qualifies as a "debt," as defined by 15 U.S.C. §1692a(5),
11 and a "consumer debt," as defined by Cal Civ Code §1788.2(f). Defendant regularly attempts
12 to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the
13 FDCPA, 15 U.S.C. §1692a(6), and RFDCPA, Cal Civ Code §1788.2(c). Further, Defendant
14 uses an "automatic telephone dialing system" as defined by the TCPA, 47 U.S.C. §227.
15
16

17 III. FACTUAL ALLEGATIONS

18 4. At various and multiple times prior to the filing of the instant complaint,
19 including within the one year preceding the filing of this complaint, Defendant contacted
20 Plaintiff in an attempt to collect an alleged outstanding debt.
21

22 5. Defendant called Plaintiff regarding an alleged debt owed. Defendant called
23 Plaintiff with such frequency and regularity that it constitutes harassment under the
24 circumstances.

25 6. Plaintiff was not in fact responsible for the alleged debt. Due to a billing error,
26 Plaintiff's landlord double billed Plaintiff, and Plaintiff paid what she owed to landlord.
27

28 7. Plaintiff called Defendant multiple times disputing the charge.

1 8. Defendant knew or should have known that Plaintiff was not responsible for
2 alleged debt.

3 9. Defendant added interest to the alleged debt even after the dispute.

4 10. Defendant threatened Plaintiff that if she did not pay Defendant would report the
5 alleged debt to Credit Reporting Agencies. Defendant, then, reported the alleged debt to Credit
6 Reporting Agencies.

7 11. On March 10, 2015, Plaintiff's counsel sent a written notice of representation.
8 Defendant responded on March 17, 2015, denying all allegations.

9 12. Defendant used an "automatic telephone dialing system", as defined by 47
10 U.S.C. § 227(a)(1), to place its repeated collection calls to Plaintiff seeking to collect the debt
11 allegedly owed.

12 13. Defendant's calls constituted calls that were not for emergency purposes as
13 defined by 47 U.S.C. § 227(b)(1)(A).

14 14. Defendant's calls were placed to telephone number assigned to a cellular
15 telephone service for which Plaintiff incur a charge for incoming calls pursuant to 47 U.S.C.
16 §227(b)(1).

17 15. During all relevant times, Defendant did not have Plaintiff's prior consent to be
18 contacted via an "automated telephone dialing system".

19 16. Defendant's conduct violated the FDCPA and the RFDCPA in multiple ways,
20 including but not limited to:

21 a) Falsely representing the character, amount, or legal status of Plaintiff's debt (§
22 1692e(2)(A));

23 b) Using false representations and deceptive practices in connection with collection
24 of an alleged debt from Plaintiff (§ 1692e(10));
25
26
27
28

- c) Causing a telephone to ring repeatedly or continuously to annoy Plaintiff (Cal Civ Code § 1788.11(d));
 - d) Communicating, by telephone or in person, with Plaintiff with such frequency as to be unreasonable and to constitute an harassment to Plaintiff under the circumstances (Cal Civ Code § 1788.11(e));
 - e) Causing Plaintiff's telephone to ring repeatedly or continuously with intent to harass, annoy or abuse Plaintiff (§ 1692d(5));
 - f) Communicating with Plaintiff at times or places which were known or should have been known to be inconvenient for Plaintiff (§1692c(a)(1)); and
 - g) Engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff (§ 1692d)).
17. Defendant's conduct violated the TCPA by:
- a) using any automatic telephone dialing system or an artificial or pre-recorded voice to any telephone number assigned to a paging service, cellular telephone service, specialized mobile radio service, or other radio common carrier service, or any service for which the called party is charged for the call (47 USC §227(b)(A)(iii)).

18. As a result of the above violations of the FDCPA, RFDCPA, and TCPA, Plaintiff suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and emotional distress. Plaintiff has even had to resort to taking sleeping pills because of the telephone calls. Defendant is liable to Plaintiff for Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

**COUNT I: VIOLATION OF ROSENTHAL
FAIR DEBT COLLECTION PRACTICES ACT**

19. Plaintiff reincorporates by reference all of the preceding paragraphs.

20. To the extent that Defendant's actions, counted above, violated the RFDCPA, those actions were done knowingly and willfully.

1 PRAYER FOR RELIEF

2 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant
3 for the following:

- 4
- 5 A. Actual damages;
- 6 B. Statutory damages for willful and negligent violations;
- 7 C. Costs and reasonable attorney's fees,
- 8 D. For such other and further relief as may be just and proper.

9 COUNT II: VIOLATION OF FAIR DEBT
10 COLLECTION PRACTICES ACT

11 21. Plaintiff reincorporates by reference all of the preceding paragraphs.

12 PRAYER FOR RELIEF

13 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant
14 for the following:

- 15
- 16 A. Actual damages;
- 17 B. Statutory damages;
- 18 C. Costs and reasonable attorney's fees; and,
- 19 D. For such other and further relief as may be just and proper.

20 COUNT III: VIOLATION OF TELEPHONE CONSUMER
21 PROTECTION ACT

22 22. Plaintiff incorporates by reference all of the preceding paragraphs.

23 23. The foregoing acts and omissions of Defendant constitute numerous and
24 multiple negligent violations of the TCPA, including but not limited to each and every one of
25 the above cited provisions of 47 U.S.C. § 227 *et seq.*

26 24. As a result of Defendant's negligent violations of 47 U.S.C. § 227 *et seq.*,
27 Plaintiff is entitled an award of \$500.00 in statutory damages, for each and every violation,
28 pursuant to 47 U.S.C. § 227(b)(3)(B).

25. The foregoing acts and omissions of Defendant constitute numerous and

multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above cited provisions of 47 U.S.C. § 227 *et seq.*

26. As a result of Defendant's knowing and/or willful violations of 47 U.S.C. § 227 *et seq.*, Plaintiff is entitled an award of \$1,500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

27. Plaintiff is entitled to and seek injunctive relief prohibiting such conduct in the future.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. As a result of Defendant's negligent violations of 47 U.S.C. §227(b)(1), Plaintiff is entitled to and requests \$500 in statutory damages, for each and every violation, pursuant to 47 U.S.C. 227(b)(3)(B);
- B. As a result of Defendant's willful and/or knowing violations of 47 U.S.C. §227(b)(1), Plaintiff is entitled to and requests treble damages, as provided by statute, up to \$1,500, for each and every violation, pursuant to 47 U.S.C. §227(b)(3)(B) and 47 U.S.C. §227(b)(3)(C); and
- C. Any and all other relief that the Court deems just and proper.

PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

Respectfully submitted this 3rd day of June, 2015.

By: 

Todd M. Friedman, Esq.
Law Offices of Todd M. Friedman, P.C.
Attorney for Plaintiff



CORPORATION SERVICE COMPANY*

Notice of Service of Process

null / ALL
Transmittal Number: 13944675
Date Processed: 06/25/2015

Primary Contact: Ms. Susan Small
Assurant Group
260 Interstate North Circle SE
Atlanta, GA 30339-2111

Entity:	I.Q. Data International, Inc. Entity ID Number 3339703
Entity Served:	Iq Data International, Inc.
Title of Action:	Leondra Fujiwara vs. Iq Data International, Inc.
Document(s) Type:	Summons/Complaint
Nature of Action:	Violation of State/Federal Act
Court/Agency:	Contra Costa County Superior Court, California
Case/Reference No:	L15-01727
Jurisdiction Served:	Washington
Date Served on CSC:	06/24/2015
Answer or Appearance Due:	30 Days
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	Todd M. Friedman 877-206-4741

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC
CSC is SAS70 Type II certified for its Litigation Management System.
2711 Centerville Road Wilmington, DE 19808 (888) 690-2882 | sop@cscinfo.com

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CM-010

FOR COURT USE ONLY

FILED
JUN -5 2015STEPHEN H. NASH CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTABy J. Hagan Deputy Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
 Todd M. Friedman, Esq. SBN 216753
 Law Offices of Todd M. Friedman
 324 S. Beverly Dr., #725
 Beverly Hills, CA 90212
 TELEPHONE NO.: 877-206-4741 FAX NO.: 866-633-0228
 ATTORNEY FOR (Name): Plaintiff, LEONDR A FUJIWARA
 SUPERIOR COURT OF CALIFORNIA, COUNTY OF Contra Costa
 STREET ADDRESS: 725 Court Street
 MAILING ADDRESS: 725 Court Street
 CITY AND ZIP CODE: Martinez CA 94553
 BRANCH NAME:

CASE NAME:
 LEONDR A FUJIWARA v. Rash Curtis & Associates

CIVIL CASE COVER SHEET		Complex Case Designation	CASE NUMBER: L15 - 01727
<input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	<input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	JUDGE: DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other P/PPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other P/PPD/WD (23) Non-P/PPD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (15) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-P/PPD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (35) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (05) <input type="checkbox"/> Rule 3.740 collections (09) <input checked="" type="checkbox"/> Other collections (02) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (28) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Will of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): 3
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: June 3, 2015
 Todd M. Friedman

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use
 Judicial Council of California
 CJA-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740;
 Cal. Standards of Judicial Administration, Std. 3.10
 www.courtinfo.ca.gov

American LegalNet, Inc.
 www.FennsWardlaw.com

BY FAX